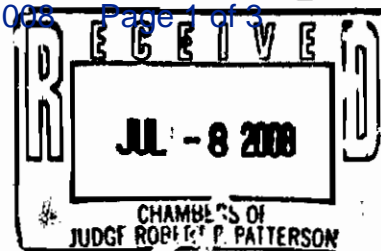


MEMO ENDORSED

RAGUES & MIN, LLP.
11 Broadway, Suite 819
New York, NY 10004
Tel: 212-766-1100
Fax: 212-202-7848

E-mail: r.ragues@raguesandmin.com



July 8, 2008

VIA FACSIMILE

Honorable Robert P. Patterson, Jr.
U.S. Courthouse
U.S. District Court, Southern District
500 Pearl Street, Room 2550
New York, NY 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/8/08

Re: The Retirement Plan etc. vs. Village Resorts, Inc
Docket No. CV 4249/2008 (RPP)
Our File No. RC-7032-1-1

Dear Judge Patterson:

I represent the defendant Village Resorts Inc. in this matter. On July 7, 2008 I appeared at the Case Management Conference that was scheduled for 9:30AM. I was informed by the clerk of the court that the conference was cancelled at the request of Plaintiff's counsel. Counsel for plaintiffs appear to be seeking a default judgment against the defendant. I spoke yesterday with Max Garfield, one of the attorneys representing the Plaintiff. I informed him that I would be putting in an appearance and answering the complaint. He informed me that an answer would be untimely. I further asked him, as a courtesy, to forward the affidavit of service so that I can respond. He informed me that he would forward the affidavit of service.

I am at this time asking this Court for a two week extension of time to respond to the complaint. This is the first time we are requesting an extension of time. Plaintiffs' counsel has refused to consent because it is untimely.

I am also asking this Court to reschedule the Case Management Conference. It appears it was cancelled without notifying the attorneys representing the defendant in Illinois. (I am local counsel).

Except for the slight delay, there is no prejudice to the Plaintiffs with either of these requests.

Lastly, I am requesting a pre-motion conference to discuss the defendant moving to dismiss for lack of personal jurisdiction/improper venue or, in the alternative, to transfer venue to Illinois.

Thank you for your courtesy in this matter.

applications granted
Since the affidavit of service attached to Plaintiff's counsel's letter of this date reflects that Defendant was served on May 21, 2008 with the Court's calendar notice of Case Management Conference on July 7, 2008 at 9:30am and defense counsel appeared on that date, Defendant's request for July 21, 2008 to answer or otherwise respond to the complaint is granted. So ordered.
Robert Patterson 0501. 7/8/08

SEE TYPEWRITTEN MEMO
ENDORSEMENT ATTACHED

Respectfully submitted,


Raymond Ragues

RR:hm

cc: Max Garfield, Esq.

Case: The Retirement Plan, et al. v. Village Resorts, et al.
Index No. 08 Civ. 4249 (RPP)

MEMO ENDORSEMENT READS:

Application granted.

Since the affidavit of service attached to Plaintiff's counsel's letter of this date reflects that Defendant was served on May 29, 2008 with this Court's calendar Notice of Case Management Conference on July 7, 2008 at 9:30 a.m. and defense counsel appeared on that date, Defendant's request for July 21, 2008 to answer or otherwise respond to the Complaint is granted.

So ordered.

Robert P. Patterson, Jr., U.S.D.J., 7/8/08